



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/812,705	03/19/2001	Darwin Hou	889712-23	9712

7590 02/12/2004

Joe Zheng
Silicon Valley Patent Agency
7394 Wildflower Way
Cupertino, CA 95014

EXAMINER

DESIRE, GREGORY M

ART UNIT	PAPER NUMBER
----------	--------------

2625

DATE MAILED: 02/12/2004

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/812,705

Applicant(s)

HOU, DARWIN

Examiner

Gregory M. Desire

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-6 and 8-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Kolster (5,920,877).

Regarding claims 1, 8 and 9 Kolster discloses,

A portable computing device (note fig. 1, block 11 in connection with col. 6 lines 10-11, portable processing unit examiner interpret as portable computing device);

A scanner integrated with portable computing device (note col. 6 lines 10-13, pens scanner connecting portable computing device), the scanner exposing to a scanning object (note col. 6 lines 1-5, scanner exposing to a scanning object, i.e. Reference book) and generating an image thereof when the portable computing device and the scanning object have a relative motion (note col. 6 lines 5-9 and 18-19, scanner acquires data and displays, reading one line at a time is the relative motion); and

Wherein the portable computing device includes an optical recognition engine that receives the image and produces text therefrom (note col. 6 lines 24-30, cites OCR program receiving text).

Regarding claim 2 Kolster discloses,

Wherein the portable computing device includes a display screen for displaying the texts from the optical recognition engine (note fig. 1 block 14 in connection with col. 6 lines 7-8). Portable computing device includes a display screen displaying recognized texts.

Regarding claim 3 Kolster discloses,

Wherein the optical recognition engine is a software module executing in the portable computing device (note col. 6 line 24-26 and 32-36). The examiner interprets OCR programs as a software module.

Regarding claim 4 Kolster discloses,

Wherein the scanner is operatively controllable through the portable computing device (note col. 6 lines 14-17, scanner controllable through the portable processing unit)

Regarding claim 5 Kolster discloses,

Wherein the image resolution of the scanner is re-configurable through the portable device (note col. 6 lines 45-65, display have control that reformats and control the text that was scanned and displayed).

Regarding claim 6 Kolster discloses,

Wherein the scanner includes an optical encoder that records the relative motion between the portable computing device and the scanning object (note col. 6 lines 20-25, optical portion of the scanner stores scanning object to be processed portable computing device via optical program);.

Regarding claim 10 Kolster discloses,

Wherein the linear scanner further includes an optical encoder to synchronize the image to be generated by the linear scanner (note

Regarding claim 11 Kolster discloses,

Wherein the portable computing device executes one or more application to parse the texts and fill in appropriate fields of one or more records (note col. 14 lines 20-25). Plurality of fields is input to be filled.

Regarding claim 12 Kolster discloses,

Wherein the portable computing device is able to transport the one or more records to another device via a communication link (note col. 8 lines 7-13). Modem allows communication with another device.

Regarding claim 13 Kolster discloses,

Wherein the communication link is either a wired link or wireless link (note col. 8 lines 7-13, modem link can be either wired or wireless).

Regarding claim 14 Kolster discloses,

Wherein the portable computing device includes telephonic function (note col. 8 lines 7-13, modem provide telephonic functionality).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kolster in view of Yokota (6,334,003).

Regarding claim 7 Kolster discloses,

Scanner includes array optical lenses (note optical system)

Kolster is silent, wherein the scanner including a linear sensor and an illumination source. However Yokota discloses scanner including a sensor and illumination source (note col. 4 lines 24-26). Scanner incorporates light source and sensor. Therefore it would have been obvious to one having ordinary skills in the art to include light source and sensor in the system of Kolster as evidenced by Yokota. Kolster teaches a pen scanner and Yokota in the same field endeavor includes a pen-scanner with light source

Art Unit: 2625

and sensor detecting the intensity pattern from the characters recognized (note col. 4 lines 27-28).

5. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kolster in view of Hongoh (5,115,374).

Regarding claim 15 Kolster discloses,

Kolster is silent, wherein the area of the scanning document also includes a graphic representation. However, Hongoh discloses a scanning document includes graphic representation (note col. 4 lines 41-45). Therefore it would have been obvious to one having ordinary skills in the art to disclose scanning document includes graphic representation in the system of Kolster as evidenced by Hongoh. Kolster teaches reference book to be scanned and Hongoh in the same field of endeavor discloses, photograph data as a type of scanning document-providing variety in documents to be scanned.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory M. Desire whose telephone number is (703) 308-9586. The examiner can normally be reached on M-F (8:30-6:00) Second Monday off.

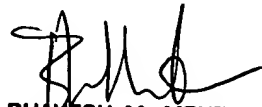
Art Unit: 2625

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on (703) 308-5246. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory M. Desire
Examiner
Art Unit 2625

G.D.
February 6, 2004


BHAVESH M. MEHTA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600